

IN THE UNITED STATES DISTRICT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division

**BOBBY BLAND, DANIEL RAY CARTER,
JR., DAVID W. DIXON, ROBERT W.
MCCOY, JOHN C. SANDHOFER, and
DEBRA H. WOODWARD**

Plaintiffs,

CASE NO4:11-CV-45

v.

**B.J. ROBERTS, individually and in his official
capacity as Sheriff of the City of Hampton,
Virginia**

Defendant.

DECLARATION


I, Sammy L. Mitchell, Sr., having direct knowledge of the information set forth below,
hereby depose and declare as follows:

1. I am a citizen and resident of the Commonwealth of Virginia and the United States. I maintain my principal residence at 25 North Lake Loop, Hampton, Virginia 23666. I was employed as a Deputy with the Hampton Sheriff's office from 1995 to the end of December, 2009. At the end of my service with the Hampton Sheriff's office I held the rank of Lieutenant.

2. I worked for the Hampton Sheriff's office during the Sheriff's re-election campaign in the fall of 2009 when the Sheriff faced opposition from Jim Adams and another candidate.

3. At various times during my employment I heard Major Kenneth Richardson and Captain Robert McGee say to lower-ranking employees: "if you don't support the Sheriff, you're going to be out of here;" "if you don't support the Sheriff, you're not going anywhere;"

Exhibit 21

Declarant's Initials: 

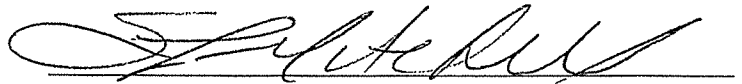
“supporting the Sheriff could help you or hurt you, it’s up to you;” “be sure you are supporting the right person” and “it is in your best interest to support the Sheriff” or statements that were substantially very similar to those set forth above. I heard these statements primarily from Major Richardson but I also heard them from Captain McGee. Most of these statements would be directed to rank-and-file deputies. I heard reports from others about Major Wells-Major making statements such as these.

4. I attended a shift change meeting during the 2009 fall campaign at which Sheriff Roberts spoke. In either late August or very early September, 2009, the Sheriff had learned that some deputies were on Facebook supporting the campaign of his opponent, Jim Adams. This clearly upset the Sheriff. During my shift change meeting he gave a speech in which he clearly communicated that if he found out about his employees supporting Jim Adams they would be terminated. It became known to me that one of the deputies who was on Jim Adams’ Facebook page was Danny Carter. After this meeting at which the Sheriff spoke, he approached Carter and it was clear to me that the Sheriff was very angry. I did not hear the content of their conversation.

5. It was obvious to me during my service in the Hampton Sheriff’s office that political loyalty to the Sheriff was a condition of employment for all employees, including the lowest ranking employees.

I declare under penalty of perjury under the laws of the United States that the foregoing statement is true and correct.

Date: 10-10-11


Sammy L. Mitchell, Sr.